

OCT 04 2004

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FORM PTO-1390
(REV 12-2001)

ATTORNEY DOCKET NUMBER

5000-5208

U.S. APPLICATION NO. (If known, see 37 CFR 1.51)

Not Yet Assigned

10/510387

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371INTERNATIONAL APPLICATION
PCT/JP03/10094INTERNATIONAL FILING DATE
07 August 2003PRIORITY DATE CLAIMED
07 August 2002

TITLE OF INVENTION

VARIABLE DISPLACEMENT COMPRESSOR

APPLICANT(S) FOR DO/EO/US

Hajime KURITA; Hiroshi UNEYAMA; Tetsuhiko FUKANUMA and Hiroaki KAYUKAWA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) below.
4. The US has been elected.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English translation of the International application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included.

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
14. A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or Information: PCT Published Application; Search Report; Copy of PCT Request - Easy Version 2.92; Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304); Notice Informing the Application of the Communication of the International Application to the Designated Offices (PCT/IB/308) a check in the amount of \$990.00 in payment of the filing fee; and a return receipt postcard.

U.S. APPLICATION NO. If known, see 37 CFR 1.10		INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NO.	
107510587 Not Yet Assigned		PCT/JP03/10094	5000-5208	
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY		
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,110.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$950.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO.....\$790.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1) - (4).....\$750.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) - (4).....\$100.00		\$950.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =				
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	20 - 20 =	0	X \$18.00	\$0
Independent claims	1 - 3 =	0	X \$88.00	\$0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$300.00		
TOTAL OF ABOVE CALCULATIONS = \$950.00				
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				
SUBTOTAL = \$				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + \$ 40.00				
TOTAL NATIONAL FEE = \$990.00				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$				
TOTAL FEES ENCLOSED \$990.00				
			Amount to be refunded:	\$
			charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$990.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. in the amount of \$ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500 (5000-5208). A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>				
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Steven F. Meyer MORGAN & FINNEGAN, L.L.P. 3 World Financial Center New York, NY 10281-2101 212-415-8700 (telephone) 212-415-8701 (facsimile)</p>				
<p><i>Steven F. Meyer</i></p> <p>SIGNATURE Steven F. Meyer</p> <p>NAME</p> <p>35,613</p> <p>REGISTRATION NO.</p>				



10-05-06
DT02 REC PCT/PTO 04 OCT 2004 PCT
101510387 Docket No. 5000-5208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hajime KURITA; Hiroshi UNEYAMA;
Tetsuhiko FUKANUMA and Hiroaki KAYUKAWA
Group Art Unit: Not Yet Assigned
Serial No.: Not Yet Assigned
Examiner: Not Yet Assigned
Filed: Herewith
For: VARIABLE DISPLACEMENT COMPRESSOR

EXPRESS MAIL CERTIFICATE

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EV 498828554 US

Date of Deposit: October 4, 2004

I hereby certify that the following attached paper(s) and/or fee

1. Transmittal letter to the US Designated Elected Office Concerning Filing Under 35 USC 371;
2. Specification 32 pp.; Claims 4 pp.; Abstract 1 pp.;
3. Drawings 5 sheets (Figs. 1-9);
4. Preliminary Amendment;
5. Information Disclosure Statement;
6. PTO Form 1449 with Cited References;
7. First Page of Published International Application and International Search Report No. WO 2004/015269;
8. Notice Informing the Applicant of the Communication of the International Application to the Designated Offices;
9. Assignment;
10. Assignment Recordation;
11. Declaration 5 pp.;
12. Notification Concerning Submission or Transmittal of Priority Document;
13. Copy of PCT Request – PCT-Easy Version 2.92
14. Check \$990.00; and
15. Return Receipt Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jafet Cotto

(Typed or printed name of person mailing paper(s) and/or fee)

Jafet Cotto

(Signature of person mailing paper(s) and/or fee)

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